

ESTTA Tracking number: **ESTTA271064**

Filing date: **03/10/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	77325354
Applicant	PRAGMA WEEDEN HOLDINGS LLC
Correspondence Address	MICHAEL D. KURZER MILBANK, TWEED, HADLEY & MCCLOY LLP 1 CHASE MANHATTAN PLZ FL 47 NEW YORK, NY 10005-1413 UNITED STATES mkurzer@milbank.com
Submission	Applicants Request for Remand and Amendment
Attachments	Request for Remand_ONE PIPE.pdf (3 pages)(446572 bytes)
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Signature	/Michael D. Kurzer/
Date	03/10/2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Applicant: PRAGMA SECURITIES LLC
Mark: ONE PIPE
Application No.: 77/325,354
Filing Date: November 8, 2007
Examining Attorney: Chrisie Brightmire King, Law Office 109
Office Action
(FINAL): August 8, 2008

REQUEST FOR REMAND TO AMEND APPLICATION
PURSUANT TO 37 CFR § 2.142(d) and TBMP §§1205 and 1209.04

Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

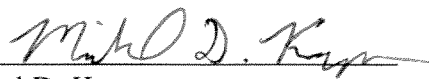
Dear Sir or Madam:

Applicant hereby requests that the present application be remanded for the purpose of amending the application from a Section 1(a) filing basis (use in commerce) to a Section 1(b) filing basis (intent to use). Good cause for remand exists because the amendment will resolve the only issue currently on appeal (the issue being the sufficiency of the specimen to show the described services). Applicant makes this request without prejudice to its position that the original specimen was adequate. A copy of the proposed amendment is attached.

Respectfully submitted,

MILBANK, TWEED, HADLEY
& McCLOY LLP

Dated: March 10, 2009

By: 
Michael D. Kurzer
Attorney for Applicant
One Chase Manhattan Plaza
New York, NY 10005-1413
(212) 530-5000

37845-01801

77/325354

Applicant: PRAGMA SECURITIES LLC
Mark: ONE PIPE
Application No.: 77/325,354
Filing Date: November 8, 2007
Examining Attorney: Chrisie Brightmire King, Law Office 109
Final Office Action: August 8, 2008

PROPOSED AMENDMENT

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Dear Sir or Madam:

Please amend the application from a Section 1(a) filing basis (use in commerce) to a Section 1(b) filing basis (intent to use), for which no specimen is required.

Applicant hereby submits the following statement, in the form of a signed declaration under 37 C.F.R. §2.20:

Applicant has had a bona fide intention to use the mark in commerce on or in connection with the goods or services listed in the application as of the filing date of the application.

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his own knowledge are true; and all statements made on information and belief are believed to be true.



(Signature)

RODERICK COVLIN, CFO
(Print or Type Name and Position)

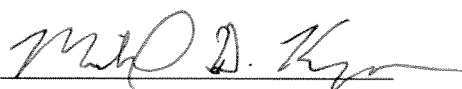
3.10.9

(Date)

Respectfully submitted,

MILBANK, TWEED, HADLEY
& MCCLOY LLP

Dated: March 10, 2009

By: 
Michael D. Kurzer
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New York, NY 10005-1413
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